

CITY OF FAIRFIELD

ORDINANCE NO. 2006 - 09

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD
AMENDING FAIRFIELD CITY CODE CHAPTER 10C, ALARM SYSTEMS.**

**THE CITY COUNCIL OF THE CITY OF FAIRFIELD DOES ORDAIN AS
FOLLOWS:**

SECTION 1: Chapter 10C, Alarm Systems, of the Fairfield City Code is amended to read as follows:

**“CHAPTER 10C
ALARM SYSTEMS**

Sec. 10C. 1 Definitions

- (a) Alarm administrator – The person designated by the Chief of Police or the Fire Chief, or such person’s designee, as the person responsible for administering the provisions of this chapter and/or any rules and regulations applicable to this chapter.
- (b) Alarm agent – An employee licensed by the State and employed by or acting on behalf of an alarm company. (Ord. No. 93-9, § 8.)
- (c) Alarm company – A business, licensed by the State, which sells, installs, monitors, maintains, services, or responds to alarm systems or supervises such actions.
- (d) Alarm system – A functionally related group of electrical or mechanical components that serve to detect, warn or alert by means of sound or signal. (Ord. No. 93-9, § 8.)
 - (1) Alarm System does not include an alarm installed on a vehicle, unless the vehicle is permanently located at a site.
- (e) Alarm user – Any person who owns, operates or manages any premises in the City of Fairfield on which an alarm system has been installed and operates.
- (f) Excessive false alarms – Two or more false alarms at the same location. Excessive false alarms, however, shall not include false alarms that occur during the thirty-day period immediately following the installation and activation of an alarm system or when responding units are cancelled prior to arriving at the alarm location.

(g) False alarm – The activation of an alarm system through mechanical failure, accident, malfunction, misuse, improper activation or negligence. False alarms shall not include alarms caused by acts of God or other causes which are beyond control of the alarm agent, alarm business or alarm user.

(h) Site – The commercial, industrial or residential premises within the City of Fairfield where the alarm system is installed.

REV. #42, 1/31/94
(Ord. 93-9, eff. 4/16/93)

Sec. 10C. 2 Alarm Company Requirements

(a) Each alarm company conducting business within the City limits shall file a copy of its California Consumer Affairs Alarm Operators License with the Police Department.

(b) Each alarm company conducting business within the City limits shall possess a current City Business License as required per section 10B.2 of the Fairfield City Code. A Solicitor's Permit may also be required per Section 5B of the Fairfield City Code.

(c) Each alarm company that installs, maintains or services alarms within the City limits shall possess a State of California C-10 Electrical Contractor's License.

Sec. 10C. 3 Notification of installation of an alarm system

(a) Each time an alarm business sells or installs a residential alarm system (security or fire) within the City of Fairfield, it shall notify the Chief of Police in writing within ten (10) days thereof.

(b) Each time an alarm business sells a commercial security alarm system within the City of Fairfield, the alarm business shall notify the Fire Chief in writing within ten (10) days thereof. The written notification shall include an installation plan and complete description of the work to be performed

(c) The notifications by the alarm businesses shall include the following:

(1) The name, address, and telephone number of the alarm business or its alarm agent; and

(2) The name of the alarm user (may be property owner at time of installation); and

(3) The address and telephone number of the site on which the alarm system is installed; and

(4) The location, classification and purpose of the alarm system; and

(5) In the case of an alarm system on a commercial or industrial premises, the name of at least one (1) person other than the alarm user responsible to respond to the alarm site and the business address and telephone number of such person.

(d) Each time an alarm business sells a commercial fire alarm system within the City of Fairfield, the alarm business shall submit system plans and specifications to the fire prevention bureau for review and approval prior to system installation. The plans and specifications shall include, but not be limited to, the following:

(1) A floor plan indicating the location of all alarm-initiating and alarm-signaling devices, and

(2) Alarm control and trouble signaling equipment, and

(3) Annunciation devices, and

(4) Power connections and calculations, including battery and voltage drop calculations, and

(5) Conductor types and sizes, and

(6) Manufacturer model numbers and listing numbers, including CSFM listing numbers, for all equipment, devices and materials.

(Ord. No. 93-9, § 8.)

Sec. 10C. 4 Notification of change

(a) In the event information provided pursuant to section 10C. 3(a) or (c) changes, the alarm user shall notify the department within ten (10) days of the change.

Sec. 10C. 5 Alarm user permit

(a) Permit Required. No alarm user shall operate and use an alarm system without an alarm user permit issued in accordance with the provisions of this chapter. Failure to maintain a valid permit pursuant to the requirements of this chapter is a violation of this code and may result in a fine as specified in section 10C. 7(a).

(b) Permit Fee. Permits are valid for a two-year period. Alarm users must renew their permits bi-annually to remain in compliance with this section. Permit costs are established in the fee schedule for the Police Department and Fire Department.

(1) Permit Billing. Bi-annual billing will occur in January 2007 and every other year thereafter (e.g. 2009, 2011, 2013 etc). New alarm users that apply for an alarm permit mid-cycle will be billed a prorated amount based on the date of their application. For example, an alarm user applying for a permit in June 2007 will be billed for the remainder of 2007 and all of 2008 (\$26.25). This alarm user will then receive a bi-annual bill for \$35.00 in January 2009.

(c) Application for Permits

(1) Commercial property: Any alarm user for a commercial property wishing to obtain an alarm user permit shall make application on a form provided by the Fire Department. The application shall be completed and signed by the alarm user and be submitted with the required permit fee.

(2) Residential property: Any person wishing to obtain an alarm user permit shall make application on a form provided by the Police Department. The application shall be completed and signed by the alarm user and be submitted with the required permit fee.
(Ord. No. 93-9, § 8.)

(d) Grounds for Denial. The permit may be denied by the Alarm Administrator on any one of the following grounds:

(1) The applicant fails to provide all the information required on the permit application form.

(2) The applicant, his or her employee or agent has knowingly made any false, misleading or fraudulent statement of a material fact in the application for a permit.

(3) The alarm system violates the provisions of section 10C. 9.

(Ord. No. 93-9, § 8.)

(e) Revocation of Permit. The Alarm Administrator may revoke an alarm user permit if, after investigation, s/he determines that the applicant has:

(1) Made any false statement or given any false information in connection with an application for an alarm user permit; or

(2) Violated any of the provisions of this chapter including the permittee's failure to pay the excessive false alarm fine imposed pursuant to section 10C. 7.

If it becomes necessary to revoke an alarm permit, the Alarm Administrator shall send a notice of intent to the permittee by both regular and certified mail. The notice shall include the reason for revocation, an explanation of the appeal process and a statement of the right to appeal the decision of the Alarm Administrator, within fourteen days, to the Fire Chief or Chief of Police. The revocation shall become effective fourteen calendar days from the date of delivery as listed on the certified mail return receipt. The permit shall remain in effect while the appeal is being processed and heard by the Fire Chief or Chief of Police.

(f) Fine. Any alarm user who fails to obtain or maintain a valid alarm user permit for a burglar, panic, robbery or fire alarm system is in violation of this code and may be subject to an administrative citation, infraction citation, and/or fine. The Alarm Administrator may, at his or her discretion, waive the citation or fine if the alarm user submits an application for an alarm permit within ten business days of notification of such violation.

(g) Appeal process. Any citation or fine imposed herein may be appealed as provided in section 10C. 8 of this code.

(h) Existing Alarm Users. Alarm users with current alarm permits will be billed the bi-annual permit fee of \$35.00 in January 2007 and every other year thereafter. Failure to comply with this section may result in a citation or fine as specified in section 10C. 5(e).

(Ord. No. 93-9, § 8.)

REV. #42, 1/31/94
(Ord. 93-9, eff. 4/16/93)

Sec. 10C. 6 Excessive false alarm fine

(a) In the event that an alarm user sustains a false alarm at a single site, the Alarm Administrator shall send a letter to the alarm permittee, advising that all subsequent false alarms shall be a violation of this code subject to an administrative citation, infraction citation, and/or excessive false alarm fine. Multiple false alarms during a twenty-four (24) hour period will be considered one false alarm for the purposes of this section.

An alarm user, at a single site, will receive one free false alarm during the time they own or operate a business or own a residence. If the Alarm user changes (e.g. sale of business or residence) the new alarm user will receive one free false

alarm activation during the time in which they own or operate the business or own the residence without incurring a fine.

(b) If it becomes necessary to issue a citation or assess an excessive false alarm fine, the Alarm Administrator shall send a notice to the permittee by both regular and certified mail. The notice shall include the:

- (1) Date, time and location of the false alarm
- (2) The amount of the fine
- (3) An explanation of the appeal process
- (4) A statement of the right to appeal the fine

Payment of the false alarm fee must be received within fourteen calendar days from the date of delivery as listed on the certified mail return receipt.

(Ord. No. 93-9, § 8.)

(c) Suspended Responses. The Alarm Administrator may discontinue or suspend police or fire responses, excluding responses to robbery or panic alarms, to a particular location under any of the following conditions;

(1) The request for a police or fire response is made by an alarm business or monitoring company that;

(a) Does not have a current business license; or

(b) Is delinquent in the payment of any fines, fees, or payments, due under this code or any ordinance, resolution, rule or regulation of the City.

(2) The request for a police or fire response to the location is received from a person or entity that is in violation of this chapter.

(3) During the previous twelve-month period, five (5) or more false alarms have occurred at such location.

(4) During the previous twenty-four (24) hour period, three (3) or more false alarms have occurred at such location.

(d) Upon discontinuing or suspending police or fire responses to a particular location, the Alarm Administrator shall provide timely written notice of such action to the person or entity which, in the Alarm Administrator's opinion, is principally affected by such action (e.g. the alarm user, the alarm business or monitoring company).

(e) Any discontinuance or suspension issued hereunder may be appealed as provided in section 10C. 8 of this code, provided that;

(1) Any and all delinquent fines, fees, or payments are fully paid to the date of the filing of the appeal; and

(2) The appeal is filed within ten days from the date of the notice specified in subsection B, above. The failure to file an appeal within such time period shall be waiver of the person's right to appeal.

(f) Any fine imposed hereunder may be appealed as provided in section 10C. 8 of this code, provided that;

(1) The fine and any delinquent payments are fully paid to the date of the filing of the appeal; and

(2) The appeal is filed within ten days from the date of the notice specified in subsection B, above. The failure to file an appeal within such time period shall be waiver of the person's right to appeal.

(Ord. No. 93-9, § 8.)

(Ord. 2002-15, § 1.)

(g) The City may bring a civil action, issue an administrative citation, or issue an infraction citation, to enforce payment of all fees or fines imposed by this code.

(Ord. No. 93-9, § 8.)

Sec. 10C. 7 Fine Schedule

(a) Alarm user permit fine. If an Alarm User fails to obtain and/or maintain a valid alarm user permit as required by Section 10 C. 5(a) and (b), said alarm user will be subject to an administrative citation, infraction citation, and/or fine.

The fines for failing to obtain or maintain a valid alarm permit are as follows:

First Violation	\$100.00
Second violation	\$200.00
Third violation	\$500.00

(b) Excessive False Alarms. If the Alarm Administrator for either the Fire or Police Department determines that a fine should be assessed on an alarm user because a single site has incurred excessive false alarms, as defined by this chapter and, therefore, is in violation of Section 10C.6 (a), the alarm

administrator shall cause a Notice of Fine letter and bill to be sent to the alarm user through both regular and certified mail.

The fines for excessive false alarms are as follows:

First false alarm	Free
Second and all subsequent false alarms	\$100.00

Sec. 10C. 8 Appeal Process

(a) The Fire Chief shall hear appeals for commercial alarm systems. The Chief of Police shall hear appeals for residential alarm systems. All requests for hearings must be received by the appropriate Chief within fourteen calendar days from the date of delivery as listed on the certified mail return receipt. At the Chiefs' discretion, the appeal may be heard by any one of the following three methods:

- (c) In-person hearing
- (d) Telephonic hearing
- (e) Written correspondence

(b) The Chief shall, within ten business days from the date on which the appeal is filed, conduct a hearing to consider all relevant evidence produced by the person appealing and any other interested parties. The Chief shall render a decision within ten business days of the hearing. Notice of this decision shall be sent to the permittee. The Chief's decision, after such hearing, shall be final.

Sec. 10C. 9 Alarm systems: Prohibited systems

The following types of alarm systems shall not be permitted in the City of Fairfield. No alarm user shall permit the installation or use of and no alarm business shall install:

- (a) An alarm system with a direct dial to the Police Department of the City of Fairfield; or
- (b) An alarm system that contains components which are not UL (Underwriters' Laboratory) listed or the equivalent.

(Ord. No. 91-6, § 3.)

(Ord. No. 93-9, § 8.)

REV. #42, 1/31/94

(Ord. 93-9, eff. 4/16/93)

REV. #63 3/1/03)
(Ord. 2002-15, eff. 9/19/02)”

SECTION 2: Severability. If any section, subsection, sentence, clause, portion, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, portions, or phrases of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, portion, or phrase without regard to whether any other section, subsection, sentence, clause, portion, or phrase of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 3: A summary of this ordinance shall be printed and published twice in the *Daily Republic*, a newspaper of general circulation printed and published in the City of Fairfield.

INTRODUCED at a regular meeting of the Fairfield City Council of the City of Fairfield on the ____ day of _____, 2006, and

PASSED AND ADOPTED this ____ day of _____, 2006, by the following vote:

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSENT: Councilmembers: _____

ABSTAINED: Councilmembers: _____

Mayor

Attest:

City Clerk